

Amendment and Response

Applicant: Charlie Steinmetz et al.

Serial No.: 10/768,412

Filed: January 29, 2004

Docket No.: 200209323-1

Title: PRINTING-FLUID CONTAINER

REMARKS

The following Remarks are made in response to the Non-Final Office Action mailed March 6, 2009, in which claims 1, 3, 7-12, 15-34, and 38-42 were rejected, and claims 43-45 were objected to.

With this Amendment, claims 12 and 33 have been cancelled without prejudice, claims 46-49 have been added, and claims 1, 7-11, 15, 16, 18-27, 29, 30, 32, 34, 38, and 42-45 have been amended, including allowable claims 43-45 which have been rewritten in independent form.

Claims 1, 3, 7-11, 15-32, 34, and 38-49, therefore, remain pending in the application and are presented for reconsideration and allowance.

Claim Objections

Claims 43 and 44 are objected to because of informalities in that the Examiner contends that "they lack proper antecedent basis."

Applicant submits that antecedent basis for each of the elements of claims 43 and 44 is provided in the respective independent claims from which they depend (i.e., independent claims 12 and 33). For example, regarding claim 43, antecedent basis for "the printing-fluid interface" is provided in claim 12, at line 5 (i.e., "a printing-fluid interface"), antecedent basis for "the air-interface" is provided in claim 12, at line 10 (i.e., "an air-interface"), antecedent basis for "the printing-fluid container" is provided in claim 12, at line 1 (i.e., "A printing-fluid container"), and antecedent basis for "the printing system" is provided in claim 12, at line 4 (i.e., "a printing system"). In addition, regarding claim 44, antecedent basis for "the printing-fluid interface" is provided in claim 33, at line 4 (i.e., "a ball and septum printing-fluid interface"), antecedent basis for "the air-interface" is provided in claim 33, at line 8 (i.e., "a ball and septum air-interface"), and antecedent basis for "the printing-fluid container" is provided in claim 33, at line 1 (i.e., "A printing-fluid container").

Accordingly, Applicant respectfully requests that the objection to claims 43 and 44 be reconsidered and withdrawn.

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Claim Rejections under 35 U.S.C. § 103

Claims 1, 3, 7-9, 12, 15-20, 26-28, 30, 31, 38-40, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Childers et al., WO 99/44830 in view of Pawlowski, Jr. et al., U.S. Patent No. 5,812,168.

Claims 10, 11, 29, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Childers et al., WO 99/44830 and Pawlowski, Jr. et al., U.S. Patent No. 5,812,168, and further in view of Barinaga, U.S. Patent No. 5,721,576.

Claims 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Childers et al., WO 99/44830 and Pawlowski, Jr. et al., U.S. Patent No. 5,812,168, and further in view of Childers, U.S. Patent No. 6,116,723.

Claims 33 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Childers et al., WO 99/44830 in view of Pawlowski, Jr. et al., U.S. Patent No. 5,812,168 and Barinaga, U.S. Patent No. 5,721,576.

Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Childers et al., WO 99/44830 in view of Pawlowski, Jr. et al., U.S. Patent No. 5,812,168, and further in view of Sakanobe et al., U.S. Patent No. 4,658,268.

With this Amendment, claims 12 and 33 have been cancelled without prejudice. In addition, dependent claims 15-32 have been amended to depend directly or indirectly from allowable claim 43, and dependent claim 34 has been amended to depend from allowable claim 44. The rejections of claims 12, 15-32, 33, and 34 under 35 U.S.C. 103(a), therefore, are rendered moot.

With this Amendment, independent claim 1 has been amended to clarify that the printing-fluid container includes **"a first fluidic interface on the leading surface and extending into the printing-fluid reservoir,"** and **"a second fluidic interface on the leading surface and extending into the printing-fluid reservoir,"** wherein **"the first fluidic interface and the second fluidic interface are both configured to provide bi-directional flow of printing fluid, air, and a combination of printing fluid and air into and out of the printing-fluid reservoir."**

Support for these amendments is provided in the Specification at, for example, page 20, lines 3-15, page 29, lines 16-22, and Fig. 30.

With respect to the Childers and Pawlowski references, Applicant submits that these

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references, individually or in combination, do not disclose a printing-fluid container as claimed in independent claim 1 including, amongst other things and in the combination recited, a first fluidic interface and a second fluidic interface both configured to provide bi-directional flow of printing fluid, air, and a combination of printing fluid and air into and out of a printing-fluid reservoir.

Regarding the Childers reference, this reference discloses an air inlet 28 configured for connection to conduit 18 for pressurizing the outer shell 24 with air, and a fluid outlet 30 configured for connection to conduit 20 for providing a connection between the fluid reservoir 22 and fluid conduit 20 (see Childers, page 6, lines 8-17; and Fig. 1). In addition, the Childers reference discloses a refill adaptor 140 having an ink sleeve 142 for sliding over fluid/ink outlet 30 and a vent sleeve 144 for sliding over air inlet 28 (see Childers, page 23, line 5 - page 24, line 2; and Fig. 16).

As such, air inlet 28 of the Childers reference only provides for communication of air with ink container 12, and fluid/ink outlet 30 of the Childers reference only provides for communication of ink with ink container 12. Air inlet 28 of the Childers reference and fluid/ink outlet 30 of the Childers reference, however, do not both provide for communication of ink, air, and a combination of ink and air into and out of ink container 12. The Childers reference, therefore, does not disclose a first fluidic interface and a second fluidic interface both configured to provide bi-directional flow of printing fluid, air, and a combination of printing fluid and air into and out of a printing-fluid reservoir, as claimed in claim 1.

In view of the above, Applicant submits that independent claim 1 is patentably distinct from the Childers and Pawlowski references and, therefore, is in a condition for allowance. Furthermore, as dependent claims 3, 7-11, and 42 further define patentably distinct claim 1, Applicant submits that these dependent claims are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 1, 3, 7-11, and 42 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 1, 3, 7-11, and 42 be allowed.

With this Amendment, independent claim 38 has been amended to clarify that the method of supplying printing fluid includes **"establishing one bi-directional connection with the air-interface and one bi-directional connection with the printing-fluid interface."**

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Title: PRINTING-FLUID CONTAINER

Support for these amendments is provided in the Specification at, for example, page 21, lines 6-17, and Figs. 14-16.

With respect to the Childers and Pawlowski references, Applicant submits that these references, individually or in combination, do not disclose a method of supplying printing fluid as claimed in independent claim 38 including, amongst other things and in the combination recited, establishing one bi-directional connection with an air-interface and one bi-directional connection with a printing-fluid interface.

Regarding the Childers reference, this reference discloses an air inlet 28 configured for connection to conduit 18 for pressurizing the outer shell 24 with air, and a fluid outlet 30 configured for connection to conduit 20 for providing a connection between the fluid reservoir 22 and fluid conduit 20 (see Childers, page 6, lines 8-17; and Fig. 1). In addition, the Childers reference discloses a refill adaptor 140 having an ink sleeve 142 for sliding over fluid/ink outlet 30 and a vent sleeve 144 for sliding over air inlet 28 (see Childers, page 23, line 5 - page 24, line 2; and Fig. 16).

As such, two separate connections each providing one-way communication of air with ink container 12 are made with air inlet 28 of the Childers reference (viz., conduit 18 and vent sleeve 144), and two separate connections each providing one-way communication of ink with ink container 12 are made with fluid/ink outlet 30 of the Childers reference (viz., conduit 20 and ink sleeve 142). The Childers reference, however, does not disclose one bi-directional connection with air inlet 28 and one bi-directional connection with fluid/ink outlet 30. The Childers reference, therefore, does not disclose establishing one bi-directional connection with an air-interface and one bi-directional connection with a printing-fluid interface, as claimed in claim 38.

In view of the above, Applicant submits that independent claim 38 is patentably distinct from the Childers and Pawlowski references and, therefore, is in a condition for allowance. Furthermore, as dependent claims 39-41 and 49 further define patentably distinct claim 38, Applicant submits that these dependent claims are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejections of claims 38-41 under 35 U.S.C. 103(a) be reconsidered and withdrawn, and that claims 38-41 and 49 be allowed.

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Allowable Subject Matter

Claims 43-45 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant agrees with the Examiner's conclusions regarding patentability without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, Applicant submits that the above-identified claims are allowable because the prior art fails to teach, anticipate or render obvious the invention as claimed, independent of how the invention is paraphrased.

With this Amendment, Applicant has rewritten allowable claim 43 in independent form to include all of the limitations of the base claim (claim 12) and any intervening claims (none). Accordingly, Applicant has amended claims 15-32 to depend directly or indirectly from rewritten independent claim 43. As rewritten claim 43 is now believed to be in allowable form, Applicant respectfully submits that dependent claims 15-32 are allowable in dependent form. Applicant, therefore, respectfully requests that the objection to claim 43 be withdrawn and that claims 15-32 and 43 be allowed.

With this Amendment, Applicant has rewritten allowable claim 44 in independent form to include all of the limitations of the base claim (claim 33) and any intervening claims (none). Accordingly, Applicant has amended claim 34 to depend from rewritten independent claim 44. As rewritten claim 44 is now believed to be in allowable form, Applicant respectfully submits that dependent claim 34 is allowable in dependent form. Applicant, therefore, respectfully requests that the objection to claim 44 be withdrawn and that claims 34 and 44 be allowed.

With this Amendment, Applicant has rewritten allowable claim 45 in independent form to include all of the limitations of the base claim (claim 38) and any intervening claims (none). In addition, Applicant has added new claims 46-48 to depend from rewritten independent claim 45. As rewritten claim 45 is now believed to be in allowable form, Applicant respectfully submits that dependent claims 46-48 are allowable in dependent form. Applicant, therefore, respectfully requests that the objection to claim 45 be withdrawn and that claims 45-48 be allowed.

Amendment and Response

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Title: PRINTING-FLUID CONTAINER

CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1, 3, 7-11, 15-32, 34, and 38-49 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either Victor DeVito at Telephone No. (908) 898-4307, Facsimile No. (970) 812-0443 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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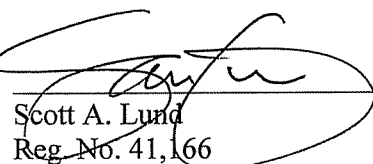
Respectfully submitted,

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